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OFFICE OF PETITIONS

In re Application of
MOSBEY et al.
Application No. 09/966,511
Filed: September 28, 2001
Attorney Docket No. 55837US002

DECISION
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 25, 2005, to revive the above-identified application.

The petition is **GRANTED**.

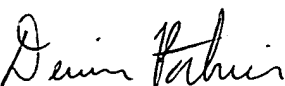
The application became abandoned for failure to submit the issue and publication fees in a timely manner in reply to the Notice of Allowance and Fee(s) Due, mailed July 13, 2005, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on October 14, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of the issue fee and the publication fee; (2) the petition fee of \$1500; and (3) an adequate statement of unintentional delay have been received. Accordingly, the issue and publication fee payments are accepted as having been unintentionally delayed.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the petition is being construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4787.

The application matter is being forwarded to the Office of Patent Publication.


Denise Pothier
Petitions Examiner
Office of Petitions